

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ERIC DARBY, :
 :
 Petitioner, :
 :
 vs. : CIVIL ACTION 04-00705-BH-B
 :
 GWENDOLYN C. MOSLEY, :
 :
 Respondent. :
 :
 :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge(Doc. 18)made under 28 U.S.C.§ 636(b)(1)(B) is ADOPTED as the opinion of this Court. It is ORDERED that petitioner's action be dismissed with prejudice as time-barred.

DONE this 5th day of March, 2007.

s/ W. B. Hand
SENIOR DISTRICT JUDGE